



## Board Meeting Minutes

**Date:** 1 February 2016

**Location:** Yellowknife, NT

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Board Members:

Suzanne Carriere (GNWT Appointee)  
Jonas Lafferty (Tłıchǫ Appointee)  
Eddie Chocolate (Tłıchǫ Appointee)  
Steven Matthews (GNWT Appointee)

Staff:

Jody Pellissey  
Boyan Tracz  
Susan Beaumont

Special Advisors:

Grant Pryznyk (Federal Appointee)  
Bruce MacDonald (Federal Appointee)

Translators:

James Rabesca  
Violet Mackenzie

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**Call to Order: 9:08 a.m.**

**Opening Prayer: Grant Pryznyk**

### 1.0 Agenda and Previous Minutes

#### 1.1 Approval of Agenda

***Motion #471-01-02-2016***

*To approve the 1 February 2016 agenda as presented*

***Moved:***  
***Second:***

Steven Matthews  
Suzanne Carriere

**Motion Approved**

#### 1.2 Approval of Minutes

#### 1.3 Review of Action Items

Outstanding action items listing was tabled and reviewed.

### 2.0 Business

#### 2.1 2016 Bathurst & Bluenose-East Caribou Herds Proceedings

##### a) Applications for Intervenor Status

A Party is anyone who is involved in a proceeding before the Board, including Tłıchǵ Government, the Government of the Northwest Territories or an intervenor. An Intervenor is a person who has filed the information required by Rule 43 of the WRRB's Rules of Procedure and who has been granted intervenor status by the Board under Rule 45 of these Rules.

The call for Intervenor Status went out on January 18, 2016, with a deadline for applications on January 26, 2016. The Board received two applications for the 2016 Bathurst Caribou Herd Proceeding: 1) Yellowknives Dene First Nation and 2) North Slave Métis Alliance. The Board received three applications for the 2016 Bluenose-East Caribou Herd Proceeding: 1) Délı̨nę First Nation/ Délı̨nę Renewable Resources Council/ Délı̨nę Land Corporation, 2) North Slave Métis Alliance and 3) Caribou Pass Outfitters, Ltd.

All applicants were contacted to confirm receipt of their application and informed that the Board would be reviewing and finalizing Intervenor Status on Feb 1, 2016. The three Délı̨nę organizations were informed that the Board would be reviewing the application as one Intervenor. Upon follow-up with John Andre of Caribou Pass Outfitters, Ltd, Mr. Andre informed the Board orally that he wished to remove his application. Mr. Andre was requested to forward his intention to remove his application in writing; to date, no written response has been received.

**Motion #472-01-02-2016**

*To approve the applicants for Party Status as follows:*

- *2016 Bathurst Caribou Herd Proceeding – Yellowknives Dene First Nation & North Slave Métis Alliance*
- *2016 Bluenose-East Caribou Herd Proceeding – Délı̨nę First Nation & North Slave Métis Alliance.*

**Moved:**  
**Second:**

Eddie Chocolate  
Steven Matthews

**Motion Approved**

**ACTION #307-01-02-2016 (ED):** To provide notification about Party Status for both proceedings

b) Science & TK Experts

As per Section 12.1.6 of the Tłıchǵ Agreement, "... *the Wek'èezhì Renewable Resources Board shall take steps to acquire and use traditional knowledge as well as other types of scientific information and expert opinion.*" Experts may be utilized in one of two ways: 1) Advisor – The Expert provides advice to the Board "inside the tent", i.e. the Expert is considered part of the Board's Staff during the course of the Proceeding. At a public hearing, the Expert would sit with Board Staff and have the ability to question any of the Parties; or, 2) Witness – The Expert provides evidence to the Board "outside the tent", i.e. the Expert is a Party to the Proceeding as an Intervenor. At a public hearing, the Expert would give a

presentation to the Board, be subject to questioning and have the ability to question any of the other Parties.

To date, the Board has requested that Dr. Anne Gunn, science expert, and Dr. Aalice Legat, TK expert, 1) review & comment on both the Bathurst and Bluenose-East Caribou Herds Joint Proposals, 2) provide questions for Round No.1 of the Information Requests (IRs) for each Proceeding and 3) review & provide comment on the responses to the Round No. 1 IRs.

The Sahtú Renewable Resources Board (SRRB) requested that the two Boards both use Dr. Legat as a TK Expert in their Proceedings. After consulting with WRRB Legal Counsel to ensure this shared arrangement would not be considered a conflict, the two Boards have requested that Dr. Legat provide, by February 18, 2016, a synthesis and analysis of relevant Dene/Métis messages to date in the respective regions, and situate these in relation to some of the relevant anthropological literature. Following receipt, WRRB Legal Counsel will review the information and provide a recommendation on Dr. Legat's status.

**Motion #473-01-02-2016**

*To approve utilizing Dr. Gunn, science expert, as an "inside the tent" advisor for both the 2016 Bathurst & Bluenose-East Caribou Herds Proceedings and Dr. Legat, TK expert, as an "inside the tent" advisor for the 2016 Bathurst Caribou Herd Proceeding*

**Moved:**  
**Second:**

Suzanne Carriere  
Steven Matthews

**Motion Approved**

c) Information Requests – Round No.1 Responses & Round No.2 Questions

The WRRB has received responses to its Round No.1 information requests (IRs) for both the Bathurst and Bluenose-East Proceedings on Jan 26<sup>th</sup> and Jan 29<sup>th</sup>, respectively. While there are concerns about some of the responses, Round No.2 IRs and questioning at the Public Hearings should allow for necessary clarifications.

A set of questions for Round No.2 IRs have been drafted. Legal Counsel has suggested a conference call with the Experts, Staff and himself to focus and finalize the final set of questions. Intervenors will have until Feb 5<sup>th</sup> to also submit any questions.

Members requested IRs include: short & long term tools in terms of industry; assessment of barren-ground caribou by COSEWIC (include Nunavut in questions); important caribou life stages (not just calving & post-calving), why focused only on calving grounds; habitat quality/quantity studies, how much needed to sustain caribou herd, broad scale habitat classification; wolf harvest in Nunavut, why not focused on harvesting on calving grounds instead of wintering grounds; why grizzly bears not included in predator management; are wolves

specialists or opportunists when hunting; what analyses will be conducted on wolf carcasses (genetics, DNA, age/sex, stomach contents); increased fires, increased moose population, how will this affect the predator population; compliance programs (air and ground); how prioritize research studies

d) Notice of Revised Proceedings Schedules & Revised Work Plans

As per Section 8 of the WRRB's Rules of Procedure, *"to address the requirements of fairness, the Board may, upon notice to the parties to a proceeding, shorten or extend the time fixed by these Rules for any action."*

The Bathurst & Bluenose-East Caribou Herds Proceedings schedules and Work Plans should be revised as follows:

- Due to the timing of the WRRB's February 1<sup>st</sup> meeting, Intervenor will not be informed of their status until February 2<sup>nd</sup>. Currently, Round No. 2 Information Requests (IRs) are to be issued by both the Board and Parties for the Bathurst Proceeding on Feb 2<sup>nd</sup> and the Bluenose-East Proceeding on Feb 5<sup>th</sup>. Therefore, the revision required is to have Intervenor submit their IRs to the WRRB by Feb 5<sup>th</sup> and issue the Round No.2 IRs on Feb 8<sup>th</sup> for both Proceedings. The submission of Round No.2 IRs will be Feb 15<sup>th</sup> for both Proceedings.
- As the number of applications received for Intervenor Status were low and the responses received for Round No.1 IRs can be clarified during questioning at the Public Hearings, the revision required is to cancel the Feb 9-10 and Feb 17-18 Technical Sessions.
- At the request of Legal Counsel, the Bluenose-East Proceeding Pre-Hearing Conference has been revised from Feb 19<sup>th</sup> to Feb 25<sup>th</sup>. Both Proceeding Pre-Hearing Conferences will be held from 9:30 to 11:00 a.m. at the Denendeh Manor Boardroom with a teleconference line available.
- Due to the change in the Bluenose-East Proceeding Pre-Hearing Conference, the deadline for Parties to submit their Public Hearing presentations has been revised from Feb 26<sup>th</sup> to Mar 9<sup>th</sup>.
- Due to the low number of applications received for Intervenor Status, the Bluenose-East Proceeding Public Hearing dates can be revised from Mar 15-17 to Mar 15-16.

**Motion #474-01-02-2016**

*To approve the revised Bathurst & Bluenose-East Caribou Herds Proceedings schedules and work plans as presented*

**Moved:**  
**Second:**

Steven Matthews  
Eddie Chocolate

**Motion Approved**

**ACTION #308-01-02-2016 (ED):** To post the revised Bathurst & Bluenose-East caribou herds proceeding schedules and work plans to the public registry

e) Bluenose-East TAH and Allocation Authorities

As per Section 12.1.2 of the Tłıchq Agreement, the WRRB is established “to perform the functions of wildlife management set out in the Agreement, in *Wek’èezhìi*.” Further, Section 12.5.5(a)(i) and (ii), which set out the Board’s total allowable harvest (TAH) and allocation authority, limit the Board’s authority to specifically *Wek’èezhìi*.

John Donihee, WRRB Legal Counsel, has provided a memo, dated Jan 28, 2016, discussing the Board’s Bluenose-East TAH and allocation authorities. While it is clear that the Board is restricted to making decisions to *Wek’èezhìi*, the joint management proposal submitted by the Tłıchq Government and the Department of Environment & Natural Resources (ENR), Government of the Northwest Territories clearly recommends that Aboriginal harvest is on a “herd wide basis” and sets out a proposed herd wide allocation.

If the WRRB decides to vary the recommended allocation, then the Sahtú Renewable Resources Board (SRRB) will be affected. Since the WRRB makes a final decision about TAH and allocation, the Minister of ENR may have to adapt his final decision to reflect the WRRB decision.

**ACTION #309-01-02-2016 (ED):** To discuss with the SRRB (Chairs, Executive Directors and Legal Counsel) about the Bluenose-East TAH and allocation

f) Public Record

As per Section 3 of the Memorandum of Understanding between the Sahtú Renewable Resources Board (SRRB) and the WRRB, the two Boards agreed to cooperate and share information where possible and to seek opportunities to enhance public awareness of the respective Proceedings.

The SRRB public registry went live on January 11, 2016; the WRRB public registry went live on January 18, 2016. The registries will allow Parties to apply for status, the public to subscribe to notifications of updates to a Proceeding, and provide an inventory of documents added to the Registries throughout the Proceeding.

In order to share information with and enhance awareness of the SRRB Proceeding, WRRB Legal Counsel recommends informing the Parties to the 2016 Bluenose-East Caribou Herds Proceeding, in writing, that, due to the Collaborative MOU signed, the WRRB will regard all information posted to the SRRB registry as evidence to consider in its Proceeding. A link to the SRRB’s Public Registry along with a short notice will also be posted on the WRRB’s Public Registry.

In addition, a list of relevant supporting documentation to post to the WRRB Public Registry for both Proceedings will be sent to all Parties for review and comment. If no concerns are raised, all documents will be added.

**ACTION #310-01-02-2016 (ED):** To write letter to Parties indicating that all information posted to SRRB registry will be considered evidence in the WRRB Bluenose-East proceeding

**ACTION #311-01-02-2016 (ED):** To write letter to Parties to review list of relevant supporting documentation to post to the WRRB's public registry for both proceedings

g) Funding

A funding request for each joint management proposal was submitted to the Implementation Branch, INAC on December 21, 2015 and a revised funding request for the Bluenose-East Public Hearing on January 15, 2016.

Staff was contacted by INAC on January 20, 2016 indicating that supplemental funding for the 2015/16 fiscal year will be provided as follows:

- \$5,880.56 to reimburse translation and travel costs associated with species at risk consultations;
- \$20,560.00 for the public registry update; and,
- \$78,541.75 for the Bathurst Caribou Hearing.

The supplemental amount requested for the Bluenose-East Caribou Hearing (\$175,306.25) will be available in 2016/2017 (early April) to assist the Implementation Branch in providing all of the requested amounts

2.2 Monitoring of the Bathurst & Bluenose-East Caribou Herds – Wildlife Research Permit Application

Wildlife Research Permit Application, entitled "*Monitoring of the Bathurst and Bluenose-East Caribou Herds*", and draft WRRB response letter tabled

**Motion #475-01-02-2016**

*To approve draft letter of response for the wildlife research permit application, entitled "Monitoring of the Bathurst and Bluenose-East Caribou Herds" as amended*

**Moved:**  
**Second:**

Eddie Chocolate  
Suzanne Carriere

**Motion Approved**

**ACTION #312-01-02-2016 (ED):** To revise and send letter to the ENR-North Slave Regional office

2.3 Nunavut Planning Commission Caribou Technical Session & Public Hearing

The Nunavut Planning Commission has tentatively scheduled the public hearing for the Draft Nunavut Land Use Plan (DNLUP) for November 2016 in Iqaluit. Deadline for comments on the current version of the DNLUP are March 4, 2016, with the refined version of the 2014 draft to be released in May 2016. This will be the draft to be discussed during the public hearing.

In addition, a 4th Technical Session (Caribou Workshop) has been identified for March 7-9, 2016 in Iqaluit. This is the week in between the SRRB public hearing (March 1-3, 2016 in Délįnę) and the WRRB public hearing (March 15-16 in Behchokò).

While the Caribou Workshop would be valuable to attend, due to timing and funding, attendance is not feasible.

### **3.0 Financial**

### **4.0 Operations**

#### **4.1 In-camera Session**

##### ***Motion #476-01-02-2016***

*To go in-camera at 2:47 p.m.*

***Moved:***  
***Second:***

Steven Matthews  
Suzanne Carriere

##### **Motion Approved**

##### ***Motion #477-01-02-2016***

*To come out of camera at 3:06 p.m.*

***Moved:***  
***Second:***

Steven Matthews  
Suzanne Carriere

##### **Motion Approved**

Table discussion about Chairman position until next meeting when all Members are available to voice their opinion.

### **5.0 Information Items**

### **6.0 Other Items**

#### **6.1 Round Table**

Board Members thanked one another, translators and Staff for a good meeting with lots of good discussion and decisions.

#### **6.2 Next Meeting**

The WRRB's internal Public Hearing Workshop is scheduled for February 22, 2016 in Yellowknife, NT. The Bathurst Caribou Herd Public Hearing is scheduled for February 23-24, 2016 in Yellowknife, NT.

The next meeting is scheduled for April 5-6, 2016 in Yellowknife, NT.

**Closing Prayer: Jonas Lafferty**

**Adjournment:**            **3:23 p.m. (Motion #478-01-02-2016)**

Minutes Approved:

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**ORIGINAL SIGNED**

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Chairperson

**AUGUST 16, 2016**

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Date